

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION

SUPPLEMENTAL SHEET FOR REGULAR MEETING OF OCTOBER 14, 2021

Prepared on October 11, 2021

ITEM NUMBER: 9

SUBJECT: ENFORCEMENT REPORT AND ENFORCEMENT PRIORITIES

STAFF CONTACT: Tamara Anderson, (805) 549-3334, tamara.anderson@waterboards.ca.gov and Thea Tryon, (805) 542-4776, thea.tryon@waterboards.ca.gov

KEY INFORMATION: Correction to Table 3 of the Enforcement Report and a modification to one of the general enforcement priorities

CORRECTION TO TABLE 3 OF THE ENFORCEMENT REPORT

After publishing the staff report, enforcement staff became aware of an inaccuracy in the first entry in Table 3 [*Issued Notices of Violation*], in Attachment 1 [*Enforcement Report*] of the staff report. The total number of notices of violation issued for failure to submit 2020 total nitrogen applied reports by the Irrigated Lands Program on April 16, 2021, was 227 and not 486.

MODIFICATION TO GENERAL ENFORCEMENT PRIORITIES

Upon further consideration and to better align with recent updated statewide terminology for engagement and communication, enforcement staff have modified one of the four general enforcement priorities to include Underrepresented Communities as shown in strikethrough and underline below:

- Address violations that pose an immediate and significant threat to water quality or result in significant detrimental impacts to human health and/or the environment.
- Prioritize violations associated with discharges that impact water quality in ~~communities facing economic and/or social inequities~~ **Underrepresented Communities**.
- Prioritize violations associated with discharges that result in drinking water supplies exceeding drinking water standards for individuals and/or small communities.
- Address violations involving falsification of information and non-compliant dischargers that realize a significant competitive economic advantage over compliant members of the regulated public.

Underrepresented Communities include, but are not limited to Disadvantaged Communities (DACs), Severely Disadvantaged Communities (SDACs), Economically Distressed Areas (EDAs), Tribes, Environmentally Disadvantaged Communities (EnvDACs), and members of Fringe Communities¹.

¹ Disadvantaged Community: a community with an annual median household income that is less than 80% of the Statewide annual median household income (Public Resources Code section 80002(e)); Severely Disadvantaged Community: a community with a median household income of less than 60% of the Statewide average. (Public Resources Code section 80002(n)); Economically Distressed Area: a municipality with a population of 20,000 persons or less, a rural county, or a reasonably isolated and divisible segment of a larger municipality where the segment of the population is 20,000 persons or less, with an annual median household income that is less than 85% of the Statewide median household income, and with one or more of the following conditions as determined by the department: (1) financial hardship, (2) Unemployment rate at least 2% higher than the Statewide average, or (3) low population density. (Water Code section 79702(k)); Tribes: federally recognized Indian Tribes and California State Indian Tribes listed on the Native American Heritage Commission's California Tribal Consultation List; EnvDACs: CalEPA designates the top 25 percent scoring census tracts as DACs. Census tracts that score the highest 5 percent of Pollution Burden scores, but do not have an overall CalEnviroScreen score because of unreliable socioeconomic or health data, are also designated as DACs (refer to the CalEnviroScreen 3.0 Mapping Tool or Results Excel Sheet); Fringe Community: communities that do not meet the established DAC, SDAC, and EDA definitions, but can show that they score in the top 25 percent of either the Pollution Burden or Population Characteristics score using the CalEnviroScreen 3.0.